



Filed: 2/9/2010

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LRB096 15792 JDS 35612 a

1 AMENDMENT TO HOUSE BILL 4721

2 AMENDMENT NO. _____. Amend House Bill 4721 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Fish and Aquatic Life Code is amended by
5 changing Section 20-15 as follows:

6 (515 ILCS 5/20-15) (from Ch. 56, par. 20-15)

7 Sec. 20-15. Owners fishing own land; exemption. The owners
8 or bona fide tenants of lands, actually residing on the lands
9 and their children, parents, brothers, and sisters actually
10 permanently residing with them have the right to take with a
11 sport fishing device fish of the kind permitted to be taken or
12 caught under this Code from waters lying upon or flowing over
13 the lands without procuring licenses to do so. This exemption
14 does not apply to club lakes, organizational lakes, or lake
15 developments. Any individual on active duty with the armed
16 forces of the United States who is now and was at the time of

1 entering the Armed Forces a resident of Illinois, who entered
2 the Armed Forces from this State, and who is presently on
3 ordinary or emergency leave from the Armed Forces has the right
4 to catch or take with a sport fishing device fish permitted to
5 be taken or caught by this Code without procuring a license.
6 Any individual exempt from licensure under this Section has
7 only the authority and privileges in taking fish as are
8 provided by this Code. Fishing by an exempt individual may be
9 done only during seasons when it is lawful.

10 (Source: P.A. 89-66, eff. 1-1-96.)

11 Section 10. The Wildlife Code is amended by changing
12 Section 3.1 as follows:

13 (520 ILCS 5/3.1) (from Ch. 61, par. 3.1)

14 Sec. 3.1. License and stamps required.

15 (a) Before any person shall take or attempt to take any of
16 the species protected by Section 2.2 for which an open season
17 is established under this Act, he shall first have procured and
18 possess a valid hunting license, except as provided in Section
19 3.1-5 of this Code.

20 Before any person 16 years of age or older shall take or
21 attempt to take any bird of the species defined as migratory
22 waterfowl by Section 2.2, including coots, he shall first have
23 procured a State Migratory Waterfowl Stamp.

24 Before any person 16 years of age or older takes, attempts

1 to take, or pursues any species of wildlife protected by this
2 Code, except migratory waterfowl, coots, and hand-reared birds
3 on licensed game breeding and hunting preserve areas and state
4 controlled pheasant hunting areas, he or she shall first obtain
5 a State Habitat Stamp. Disabled veterans and former prisoners
6 of war shall not be required to obtain State Habitat Stamps.
7 Any person who obtained a lifetime license before January 1,
8 1993, shall not be required to obtain State Habitat Stamps.
9 Income from the sale of State Furbearer Stamps and State
10 Pheasant Stamps received after the effective date of this
11 amendatory Act of 1992 shall be deposited into the State
12 Furbearer Fund and State Pheasant Fund, respectively.

13 Before any person 16 years of age or older shall take,
14 attempt to take, or sell the green hide of any mammal of the
15 species defined as fur-bearing mammals by Section 2.2 for which
16 an open season is established under this Act, he shall first
17 have procured a State Habitat Stamp.

18 (b) Before any person who is a non-resident of the State of
19 Illinois shall take or attempt to take any of the species
20 protected by Section 2.2 for which an open season is
21 established under this Act, he shall, unless specifically
22 exempted by law, first procure a non-resident license as
23 provided by this Act for the taking of any wild game.

24 Before a nonresident shall take or attempt to take
25 white-tailed deer, he shall first have procured a Deer Hunting
26 Permit as defined in Section 2.26 of this Code.

1 Before a nonresident shall take or attempt to take wild
2 turkeys, he shall have procured a Wild Turkey Hunting Permit as
3 defined in Section 2.11 of this Code.

4 (c) The owners residing on, or bona fide tenants of, farm
5 lands and their children, parents, brothers, and sisters
6 actually permanently residing on their lands shall have the
7 right to hunt any of the species protected by Section 2.2 upon
8 their lands and waters without procuring hunting licenses; but
9 the hunting shall be done only during periods of time and with
10 devices and by methods as are permitted by this Act. Any person
11 on active duty with the Armed Forces of the United States who
12 is now and who was at the time of entering the Armed Forces a
13 resident of Illinois and who entered the Armed Forces from this
14 State, and who is presently on ordinary or emergency leave from
15 the Armed Forces, and any resident of Illinois who is disabled
16 may hunt any of the species protected by Section 2.2 without
17 procuring a hunting license, but the hunting shall be done only
18 during such periods of time and with devices and by methods as
19 are permitted by this Act. For the purpose of this Section a
20 person is disabled when that person has a Type 1 or Type 4,
21 Class 2 disability as defined in Section 4A of the Illinois
22 Identification Card Act. For purposes of this Section, an
23 Illinois Disabled Person Identification Card issued pursuant
24 to the Illinois Identification Card Act indicating that the
25 person named has a Type 1 or Type 4, Class 2 disability shall
26 be adequate documentation of the disability.

1 (d) A courtesy non-resident license, permit, or stamp for
2 taking game may be issued at the discretion of the Director,
3 without fee, to any person officially employed in the game and
4 fish or conservation department of another state or of the
5 United States who is within the State to assist or consult or
6 cooperate with the Director; or to the officials of other
7 states, the United States, foreign countries, or officers or
8 representatives of conservation organizations or publications
9 while in the State as guests of the Governor or Director. The
10 Director may provide to nonresident participants and official
11 gunners at field trials an exemption from licensure while
12 participating in a field trial.

13 (e) State Migratory Waterfowl Stamps shall be required for
14 those persons qualifying under subsections (c) and (d) who
15 intend to hunt migratory waterfowl, including coots, to the
16 extent that hunting licenses of the various types are
17 authorized and required by this Section for those persons.

18 (f) Registration in the U.S. Fish and Wildlife Migratory
19 Bird Harvest Information Program shall be required for those
20 persons who are required to have a hunting license before
21 taking or attempting to take any bird of the species defined as
22 migratory game birds by Section 2.2, except that this
23 subsection shall not apply to crows in this State or
24 hand-reared birds on licensed game breeding and hunting
25 preserve areas, for which an open season is established by this
26 Act. Persons registering with the Program must carry proof of

1 registration with them while migratory bird hunting.

2 The Department shall publish suitable prescribed
3 regulations pertaining to registration by the migratory bird
4 hunter in the U.S. Fish and Wildlife Service Migratory Bird
5 Harvest Information Program.

6 (Source: P.A. 94-1024, eff. 7-14-06.)".